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## Newsletter - 1996-02-22

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# NEWSLETTER

104-1548

22 February 1996

Washington, DC

**MAKING EDUCATION A FOREMOST PRIORITY.** If you were to ask most parents how important they feel it is for America's schools to provide children with a solid education, they would respond it is something they consider to be vital to do.

In this current Congress much of my incoming mail has been about the need to continue to provide adequate funding and to ensure that America's youth receive a quality education. Those who have written will want to know that on the 1st of the month legislation was introduced which would sustain education funding at this important time.

The measure I am referring to, and of which I'm a co-sponsor, is H Con Res 144. This expresses the sense of the Congress with regard to the amount that should be appropriated for Fiscal Year 1996 for federally assisted education programs and activities. In short, it says that lawmakers should, by 15 March, agree to maintain federal assistance to students and schools at last year's funding levels.

The resolution recognizes the critical need for schools to be able to plan adequately for the next school year. It also recognizes that education must remain a top national priority and that it should not be used as leverage in the current budget negotiations.

Investment in the learning capacity of this and future generations of children is crucial to both the long-term economic strength and the continued cultural growth of the United States. Enacting this resolution is one way to show our commitment to children all across America.

# # #

**ED-FLEX.** Recently the Department of Education advised me that Texas had been named an Ed-Flex Partnership State. Exactly what does this mean?

The Education Flexibility Partnership Demonstration Program was established by the Goals 2000: Educate America Act. In exchange for increased accountability for results, Ed-Flex provides greater state and local flexibility in using Federal education funds to support locally-designed, comprehensive school improvement efforts.

Ed-Flex allows the Secretary of Education to delegate, to up to six States, the authority to waive certain Federal statutory or regulatory requirements affecting the State and local school districts and schools. A State that has developed a comprehensive school improvement plan that has been approved by the Secretary may apply for Ed-Flex. In addition, the State must waive

its own statutory or regulatory requirements, while holding districts and schools affected by the waivers accountable for the academic performance of their students.

Ed-Flex can help participating States and local school districts use Federal funds in the way that provides maximum support for effective school reform based on challenging academic standards for all students.

**How Can Ed-Flex Help Improve Education in Texas?** Participating in Ed-Flex is a natural step in the efforts that Texas is making to develop an education system focused on high standards for all students, local flexibility, and strong accountability for results. Ed-Flex gives the Texas Commissioner of Education the power to waive requirements of certain federal education programs. Before Ed-Flex, Texas could ask the Secretary of Education to waive these requirements. Now, Texas has the authority to make the decisions at the state level.

If individual schools need waivers to carry out their local school reform efforts, they can seek a waiver from the Texas Education Agency. Likewise, based on experience and feedback from schools and local communities, the Commissioner can approve a single waiver that will apply to many districts across the state at one time. Texas will use the results of its Texas Assessment of Academic Skills and other approaches to monitor the effectiveness of waivers.

If you have questions about which federal program requirements may or may not be waived, or perhaps how Ed-Flex will work in practice please be certain to contact me.

# # #

**NEW JUSTICE DEPARTMENT GRANTS TO REIMBURSE STATES THAT JAIL CRIMINAL ILLEGAL ALIENS.** The 1994 Crime Act's State Criminal Alien Assistance Program (SCAAP) provides the first-ever federal relief to states to help them lock-up illegal criminal aliens in the United States. Under the provisions of this legislation, Texas has just received \$14.8 million.

This grant will provide direct relief to Texas and its overburdened jails. It also makes the federal government a full partner in incarcerating criminal aliens.

The Act allows reimbursement only for the incarceration of illegal aliens who have been convicted of felony offenses. Each state provided information to the Bureau of Justice Assistance (BJA) on its cost of housing illegal criminal aliens for the fiscal year. State data were verified, to the extent possible, by BJA and the Immigration & Naturalization Service.

The funding formula is based on applicant claims, adjusted to provide states with pro rata shares of the limited funds available. State costs were calculated by taking the total of routine operational expenses for all custodial state facilities, adding 4% to this total for non-recurring expenses, and dividing this by the average number of inmates housed in these facilities over one year.